

## REMARKS

In response to the Office Action dated June 27, 2005, Applicants respectfully request reconsideration based on the following remarks. Applicants respectfully submit that the claims as presented are in a condition for allowance.

Claims 1-17 and 19-26 are pending in this Application. Applicants have not amended, cancelled, or added any claims.

### **Claim Rejections – 35 U.S.C. § 103(a)**

#### *Claims 1-17, 19, 22-24, and 26*

In the Office Action, claims 1-17, 19, 22-24, and 26 are rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,603,758 to Schmuelling et al. (“Schmuelling”) in view of U.S. Patent No. 6,769,000 to Akhtar et al. (“Akhtar”). Applicants respectfully request reconsideration and withdrawal of these rejections.

Schmuelling teaches the addition of devices to a local network, allowing users to choose the device “through which they access the Internet and the ISP that will provide them that access” (*Schmuelling, column 1, lines 44-45*). Service agreement initiation between a user and an ISP administrator to permit Internet access through the particular ISP includes registration and allocation of an IP address from a pool of IP addresses. Subnet hardware is provided for communication between a user’s devices and devices on the Internet.

Akhtar discloses IP address allocation scenarios, which result in the allocation of a permanent IP address or a dynamically-allocated IP address (*Akhtar, column 21, lines 5-9*). The scenarios for providing a permanent IP address include providing an address associated with a home network, associated with a current point of attachment, or not associated with the home network or the current point of attachment. Further scenarios described by Akhtar include the dynamic allocation of an IP address when a user roams through the network.

Claim 1 recites, in part, the provision of “a first IP address for obtaining IP services available within the access provider network” and “a second IP address for obtaining IP services available within the access provider network independent of the ISP.”

Applicants submit that neither Schmuelling nor Akhtar, nor the combination of Schmuelling and Akhtar, teach or suggest obtaining IP services “within the access provider network” with two IP addresses, one being “independent of the ISP.” Akhtar teaches distinct scenarios. For example, a user owning a mobile node either has a permanent IP address (scenario 1 of Akhtar) or can access IP services with an IP address that is dynamically allocated (scenario 4 of Akhtar). There is no disclosure or suggestion in Akhtar, as alleged by the Examiner, of two addresses for use within the network. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection of claim 1 and its dependent claims 2-11 as the pending claims patentably define over the cited art.

The Examiner states that “the same motivation that was utilized in the combination of claim 1, applies equally as well to [independent] claim[s] 12,” 15, and 22 (*Office Action dated 06/27/2005, pages 8, 9, and 11*).

Claim 12 recites the generation of “a first IP address” and “a second IP address,” wherein the second IP address is “in addition to an IP address provided by the ISP and allowing the IP enabled device to obtain IP services available within the access provider network independent of the ISP.”

Applicants submit, similar to the response to the rejection of claim 1, that neither Schmuelling nor Akhtar, nor the combination of Schmuelling and Akhtar, teach or suggest the use of two IP addresses, one allowing the use of services “independent of the ISP.” Akhtar teaches distinct scenarios. There is no disclosure or suggestion in Akhtar, as alleged by the Examiner, of two addresses for use within the network. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection of claim 12 and its dependent claims 13-14 as the pending claims patentably define over the cited art.

Claim 15 recites the generation and communication of four IP addresses, the first “for obtaining IP services available within the access provider network;” the second for “allowing IP enabled devices to obtain IP services available through the ISP by way an access provider network;” the third for “allowing IP enabled devices to obtain IP services within the access provider network;” and the fourth for “allowing IP enabled devices to obtain IP services through the ISP by way of the access provider network.”

Applicants respectfully submit that four such IP addresses are not taught nor suggested by Schmuelling or Akhtar, or the combination of Schmuelling and Akhtar. Akhtar discloses separate scenarios for allocating IP addresses but does not include disclosure on four IP addresses that are simultaneously used. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection of claim 15 and its dependent claims 16-17 and 19 as the pending claims patentably define over the cited art.

Claim 22 recites, in part, the receipt of “communications from [an] IP enabled device at the network access device” and the determination of “whether the communications received at the network access device is addressed to one of the second IP service devices.”

Applicants submit that neither Schmuelling nor Akhtar, nor the combination of Schmuelling and Akhtar, teach or suggest, at least, the step of “determining whether the communications received at the network access device is addressed to one of the second IP service devices,” as alleged by the Examiner in the Office Action. Akhtar teaches the initiation, termination, and notification of termination of sessions between a node and a network but does not disclose or suggest determining if communications are “addressed to one of the second IP service devices.” Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection of claim 22 and its dependent claims 23-24 and 26 as the pending claims patentably define over the cited art.

Claims 20-21 and 25

In the Office Action, claims 20-21 and 25 are rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Akhtar in view of U.S. Patent No. 6,751,729 to Giniger et al. Applicants respectfully request reconsideration and withdrawal of these rejections.

Giniger discloses a node device coupled to a data network. The node device maintains a tunneling communication service to provide secure communication to the computers coupled to the node. Encrypted communication tunnels, with the use of cryptographic information unique to each node device and stored on a data storage of the particular node device, are used between multiple node devices. Giniger briefly discusses the point to point tunneling protocol, used to “encrypt data layer PPP frames and transmit[s] them across public data networks” (*Giniger, column 1, lines 56-60*). Giniger also discloses

DOCKET NO.: BELL-0094/00377  
Application No.: 09/905,010  
Office Action Dated: June 27, 2005

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REPLY FILED UNDER EXPEDITED  
PROCEDURE PURSUANT TO  
37 CFR § 1.116

the use of a relay agent to send "IP packets that are not specifically addressed to other computers" (*Giniger, column 11, lines 36-38*).

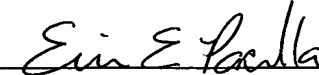
Claim 20 recites "a system for establishing a plurality of simultaneous internet protocol (IP) service sessions over a single connection to an access provider network," and further recites that the access gateway and communications element are "adapted to recognize and redirect data based on the presence of multiple instances of point-to-point frames being sent to and from the IP enabled devices simultaneously by way of the access gateway."

Applicants submit that neither Akhtar nor Giniger, nor the combination of Akhtar and Giniger, teach or suggest the adaptation of communication elements based on "multiple instances of point-to-point frames." Instead Giniger simply describes the forwarding of IP packets to other computers through a relay agent. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection of claim 20 and its dependent claims 21 and 25 as the pending claims patentably define over the cited art.

### **Conclusion**

For all the foregoing reasons, Applicants respectfully submit that the pending claims patentably define over the cited art. Accordingly, a Notice of Allowance for claims 1-17 and 19-26 is respectfully requested. In the event, however, that the Examiner believes that the application is not allowable for any reason, the Examiner is encouraged to contact the undersigned agent to discuss resolution of any remaining issues.

Date: August 29, 2005

  
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